



## **RESOLUTION**

**INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION) RELATING TO THE CREATION OF A PEDESTRIAN SAFETY COMMISSION.**

WHEREAS, on May 9, 2012, the City Council ("Council") adopted the Complete Streets ordinance (Ordinance 12-15), codified as Chapter 14, Article 33, Revised Ordinances of Honolulu 1990, which, among other things, states as a matter of public policy that transportation facilities and street designs will provide safe mobility to all roadway users, including pedestrians; and

WHEREAS, in spite of this City commitment to the Complete Streets goal of roadway safety for all users, including pedestrians, vehicular crashes resulting in pedestrian fatalities and serious injuries have nonetheless increased over the years; and

WHEREAS, last year, there were 28 pedestrian deaths on Oahu, the highest total over the last 15 years; and

WHEREAS, conflicts between motorists and pedestrians occurring on Oahu roadways, including in or near intersection-marked crosswalks, can be addressed through engineering and design actions, in conjunction with education and enforcement, that actively involve all stakeholders; and

WHEREAS, the City Council finds that the persistent increase in pedestrian crashes, fatalities, and serious injuries is unacceptable and must be addressed as a priority issue by a body dedicated to the goal of increasing pedestrian safety by decreasing the number of pedestrian crashes; now, therefore,

**BE IT RESOLVED** by the Council of the City and County of Honolulu:

1. That the following question be placed on the ballot for the 2020 general election:  
  
"Shall the Revised City Charter be amended to create a pedestrian safety commission to regularly review and analyze all pedestrian fatalities and serious injuries, and annually recommend actions and improvements to increase pedestrian safety?"
2. That Article VI, Chapter 17, Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Department of Transportation Services"), be amended to add three new sections to be appropriately numbered by the Revisor of the Charter and to read as follows:



## **RESOLUTION**

---

### **"Section 6-17 . Pedestrian Safety Commission--**

1. There will be a pedestrian safety commission consisting of seven appointed members and two ex officio members. The seven appointed members will be appointed as follows:

- (a) Three members will be appointed by the mayor without necessity of council confirmation;
- (b) Three members will be appointed by the council; and
- (c) One member will be nominated and, upon council confirmation, appointed by the mayor. The member appointed pursuant to this paragraph will be the chair of the pedestrian safety commission.

Each member must be a duly registered voter of the city.

2. Each appointed member of the pedestrian safety commission will be appointed to a five-year term except that:

- (a) Of the initial members appointed by the mayor without council confirmation, one will be appointed to a two-year term, one will be appointed to a three-year term, and one will be appointed to a four-year term; and
- (b) Of the initial members appointed by the council, one will be appointed to a two-year term, one will be appointed to a three-year term, and one will be appointed to a four-year term.

The term of each appointed member will commence on July 1 and expire on June 30 of the applicable years. A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, will commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the pedestrian safety commission by other than expiration of a term, a successor will be appointed to serve the remainder of the unexpired term. The successor will be appointed in the same manner as the predecessor.



## RESOLUTION

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person may serve on the pedestrian safety commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. The director of transportation services or the director's designee and the chief of the Honolulu police department or the chief's designee will be ex officio members of the pedestrian safety commission. The ex officio members of the board will not be subject to any term limit.

4. A majority of the entire membership of the pedestrian safety commission will constitute a quorum. The affirmative vote of a majority of the entire membership of the pedestrian safety commission will be necessary to take an action.

5. Section 13-103 of this charter does not apply to the pedestrian safety commission or its members.

### **Section 6-17 . Powers, Duties, and Functions--**

1. The pedestrian safety commission shall:

(a) Adopt rules for the conduct of its business.

(b) When deemed necessary and appropriate, but in no event less frequently than quarterly, review and analyze all pedestrian fatalities and serious injuries. The commission may invite to their meetings persons with relevant expertise, experience, and backgrounds as determined by the commission, such as members of the city administration including, but not limited to, representatives from the department of transportation services, the Honolulu police department, and the department of the corporation counsel, to provide written or oral information, or both, regarding pedestrian fatalities and serious injuries.

(c) Beginning no later than December 31, 2021, and annually thereafter, submit a report to the director of transportation services, mayor, and council with recommendations for actions and



## RESOLUTION

improvements, as applicable, to increase pedestrian safety. This provision is not intended to prohibit the commission from submitting interim reports, if any, in addition to the submission of an annual report.

2. Except for purposes of inquiry, neither the pedestrian safety commission nor its members may interfere in any way with the administrative affairs of the department of transportation services.

### **Section 6-17 . Definitions--**

For the purposes of this chapter:

"Commission" means the pedestrian safety commission.

"Pedestrian fatality" means any death of a pedestrian resulting from a collision with a vehicle, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

"Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred."

3. That in Section 2 of this resolution, new Charter material is underscored. When revising, compiling, or printing these Charter provisions for inclusion in the Revised Charter of the City and County of Honolulu 1973, as amended, the Revisor of the Charter need not include the underscoring.
4. That if these Charter provisions are amended by any other Charter amendment(s) approved by the voters at the 2020 general election, the Revisor of the Charter, in revising, compiling, or printing the Revised Charter:
  - a. May designate or redesignate articles, chapters, sections or parts of sections, and rearrange references thereto;
  - b. Will, except as otherwise expressly provided in this resolution or in the other resolution(s) amending these Charter provisions, give effect, to the extent possible, to all of the amendments approved; and
  - c. Change capitalization or the form of numbers and monetary sums for the sake of uniformity.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. **19-56**

---

**RESOLUTION**

---

5. That upon adoption of this resolution by the Council, the City Clerk be and is hereby directed:
- a. To prepare the necessary ballots with the question contained in this resolution and with spaces for "yes" and "no" votes on the question for presentation to the electors at the 2020 general election. The City Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and
  - b. To publish the above-proposed Charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2020 general election.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 19-56

**RESOLUTION**

6. That upon approval of the Charter amendment question posed in this resolution by a majority of the electors voting thereon, as duly certified, the Charter amendment proposed in this resolution takes effect on July 1, 2021.

INTRODUCED BY:

*[Signature]*

DATE OF INTRODUCTION:

**MAR 5 2019**

Honolulu, Hawaii

Councilmembers

**FILED**  
**MAR 5 2021**  
PURSUANT TO ROH Sec. 1-2.5